Serial No. 10/849,523

## **REMARKS**

Claim 21 is amended herein. Claims 1-21 are pending and under consideration. Claims 3, 5, 7, 9, 16 and 20 are allowed. Claims 2, 4, 6, 8, 12, 14 and 18 are objected to.

Using independent claim 1 as an example, this claim recites said spacer comprising a single-piece elastic member with no ends thereof. In contrast, the spacer 3 of Tsuchiyama has a generally rectangular shape. Thus, the spacer 3 has ends. Tsuchiyama, Fig. 1.

Independent claim 21 recites the spacer comprising a single-piece elastic member formed of an endless loop. In contrast, the spacer 3 of Tsuchiyama is not formed of a loop.

Accordingly, withdrawal of the rejection is requested.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date:

Michael J. Badagliacca Registration No. 39,099

1201 New York Avenue, NW, Suite 700

Washington, D.C. 20005

Telephone: (202) 434-1500 Facsimile: (202) 434-1501